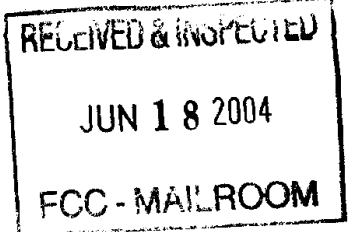


DOCKET FILE COPY ORIGINAL



CONSUMER ADVOCATE DIVISION
STATE OF WEST VIRGINIA
PUBLIC SERVICE COMMISSION
700 Union Building
723 Kanawha Boulevard, East
Charleston, West Virginia 25301
(304) 558-0526

June 11, 2004



RECEIVED

JUN 23 2004

Distribution Center

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: *I/M/O Petition of WorldCom, Inc. for Declaratory Ruling that West Virginia's Definition of Customer of Record is Inconsistent with the FCC's Rules, CC Docket No. 94-129*

Dear Ms. Dortch:

Pursuant to 47 C.F.R. § 1.51, enclosed for filing in this matter is an original and four copies of the West Virginia Consumer Advocate Division's ("WVCAD") *Comments in Response to WorldCom, Inc.'s Petition*. WVCAD has also filed its motion electronically via the Commission's ECFS.

Very truly yours,

A handwritten signature in black ink, appearing to read "Patrick W. Pearلمان".

PATRICK W. PEARLMAN
WV State Bar No. 5755

PWP/s
Enclosures
cc: All counsel of record

No. of Copies rec'd 014
List ABCDE

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED & INSPECTED

JUN 18 2004

FCC - MAILROOM

In the Matter of

Petition of WorldCom, Inc.

Petition for Declaratory Ruling that West
Virginia's Definition of Customer of Record
is inconsistent with the FCC's rules

File No. CGB-94-129

**WEST VIRGINIA CONSUMER ADVOCATE DIVISION'S
COMMENTS IN RESPONSE TO WORLDCOM, INC.'S PETITION**

Pursuant to 47 C.F.R. §§ 1.415 and 1.419, and the Commission's April 7, 2004, Public Notice,¹ the Consumer Advocate Division of the Public Service Commission of West Virginia ("WVWVCAD") hereby files comments in response to the petition for declaratory ruling filed with the Commission by WorldCom, Inc. ("MCI") on March 12, 2004.

Rather than address the merits of MCI's petition to the Commission, WVCAD instead joins in support of the motion to hold proceeding in abeyance, filed with the Commission by the Public Service Commission of West Virginia ("WVPSC") on June 10, 2004. WVCAD concurs with the WVPSC's arguments in support of its motion and urges the Commission to grant the relief requested by the WVPSC. Further, WVCAD is aware that MCI has likewise expressed its desire to have the Commission hold its petition in abeyance pending the outcome of proceedings involving the same or virtually identical issues now pending before the WVPSC.

¹ See *I/M/O Petition of WorldCom, Inc. for Declaratory Ruling that West Virginia's Definition of Customer of Record is Inconsistent with the FCC's Rules*, Public Notice, DA 04-962 (rel. April 7, 2004).

For all the foregoing reasons, the Commission should enter an order holding this proceeding in abeyance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick W. Pearlman", written over a horizontal line.

Patrick W. Pearlman
Deputy Consumer Advocate
The Public Service Commission
of West Virginia
Consumer Advocate Division
723 Kanawha Boulevard, East
Charleston, WV 25301
304.558.0526
WV State Bar No. 5755

Dated: June 11, 2004


CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of June, 2004, I caused true and correct copies of the foregoing *"West Virginia Consumer Advocate Division's Comments in Response to WorldCom, Inc.'s Petition"* to be served on all parties listed below by electronic filing.

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Kecia Boney Lewis
Karen Reidy
1133 19th Street, NW
Washington, DC 20036

Richard E. Hitt
Public Service Commission of
West Virginia
P.O. Box 812
Charleston, WV 25323


PATRICK W. PEARLMAN
Consumer Advocate Division
Public Service Commission
of West Virginia
723 Kanawha Blvd., East
Charleston, WV 25301
304.558.0526
WV State Bar No. 5755